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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

ALAA-EDDINE ABOU-ELMAJD,

Civil No. **CV 06 1154 10**

PETITIONER,

Agency Case No.:

v.

ALBERTO R. GONZALES, U.S.

Attorney General; **ROBERT S.**

MUELLER, III, Director, Federal Bureau
of Investigation; **MICHAEL A. CANNON**,

National Namecheck Section Chief, FBI;

MICHAEL CHERTOFF, Secretary,

Department of Homeland Security;

EMILIO GONZALEZ, Director, U.S.

Citizenship and Immigration Services; and

WILLIAM McNAMEE, District Director,

U.S. Citizenship and Immigration Services,

RESPONDENTS.

**~~PROPOSED~~ TEMPORARY
RESTRAINING ORDER AND
ORDER TO SHOW CAUSE WHY A
PRELIMINARY INJUNCTION
SHOULD NOT ISSUE**

Petitioner Alaa-Eddine Abou-Elmajd has applied for a temporary restraining order and order to show cause why a preliminary injunction should not be issued against Respondents. The Court has considered Petitioner's Petition for Writ of Mandamus, the Memorandum in Support, the Declarations of Brent W. Renison and Alaa-Eddine Abou-Elmajd,

the other records filed with this Court, the arguments of counsel for Petitioner, and the arguments of counsel for Respondents, if any.

The Court finds that Petitioner has demonstrated a sufficient likelihood of success on the merits of his claims. The Court also finds that the balance of hardships significantly favors Petitioner. Absent a temporary restraining order, Petitioner will be unable to work, will likely lose his job, and will be unable to support his wife or baby. In addition, the Court finds that counsel for Petitioner provided oral and written notice of the documents filed today and the time and location of the hearing to Respondent William McNamee and counsel for Respondents, Kenneth Bauman and Jim Sutherland of the United States Attorney's Office.

There being good cause for entering such an order, pursuant to Fed. R. Civ. P. 65, the Court enters this Temporary Restraining Order and Order to Show Cause Why a Preliminary Injunction Should Not Be Entered.

IT IS ORDERED that Respondents appear before this court on August 24, 2006, at 130^{PM} o'clock P.m. in Room 9A of the United States District Court for the District of Oregon, located at 1000 S.W. Third Avenue, Portland, Oregon, 97204, and then and there show cause, if any exists, why a preliminary injunction should not issue compelling Respondents to renew Petitioner's employment authorization document.

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IT IS FURTHER ORDERED that Respondents and their subordinates immediately renew Petitioner's employment authorization document through and until the show cause hearing described above or ten days from the date of this order, whichever occurs first.

DATED this 14 day of August, 2006, at 2 o'clock P.m.



U.S. DISTRICT JUDGE

SUBMITTED BY: 

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